

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 8, 2003

IN RE:

**GENERIC DOCKET TO ESTABLISH
GENERALLY AVAILABLE TERMS
AND CONDITIONS FOR
INTERCONNECTION**

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**DOCKET NO.
01-00526**

DISSENT OF DIRECTOR RON JONES TO *ORDER CLOSING DOCKET*

The above-styled docket came before a panel of the Tennessee Regulatory Authority ("Authority") at an Authority Conference held on January 27, 2003. During the Conference, Chairman Kyle and Director Tate voted to close the docket. The majority filed an order memorializing this decision on April 29, 2003.

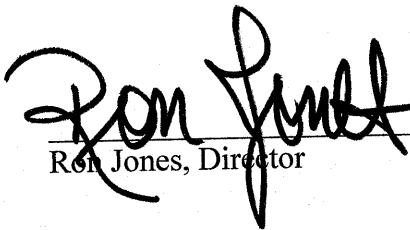
In its order, the majority found: "The Authority's approval of BellSouth's SGAT within the confines of the 271 proceeding achieved the primary purpose of Docket No. 01-00526, *i.e.*, to establish generally available terms and conditions for competitive local exchange carriers." I cannot fully agree with this finding. While it is true that establishing generally available terms and conditions was a goal of this docket so too was the goal of resolving issues frequently arbitrated.¹ Additionally, it was the agency's conclusion that the fulfillment of these two goals would streamline interconnection negotiations and mitigate competing carrier difficulties in obtaining cost-based rates.²

¹ *Order Denying Tariff No. 01-00205 and Opening Docket No. 01-00526*, 6 (Jun. 21, 2001).

² *Id.*

In moving toward the goals of this docket, the Authority recognized the need for the docket to begin with BellSouth filing a document that incorporated specific Authority decisions.³ The SGAT submitted by BellSouth and approved by a majority of Directors in Docket No. 97-00309 does not fulfill this need. While BellSouth's SGAT may be sufficient for Section 271 approval, it does not incorporate specific Authority orders and it does not necessarily follow that the SGAT resolves frequently arbitrated issues or streamlines the interconnection negotiation process in Tennessee. As I stated during deliberations on this matter, what may be satisfactory under the federal act with respect to Section 271 compliance falls short of specific requirements ordered by the Authority in Tennessee.

For the foregoing reasons, I respectfully dissent from the majority's decision to close this docket.



Ron Jones, Director

³ *Order Directing BellSouth to File a Second Amended Modified Interconnection Agreement and Directing the Pre-Hearing Officer to Schedule and Conduct Workshops*, 4 (Jun. 17, 2002) (adopting the recommendation of the pre-hearing officer that BellSouth file a Second Amended Modified Interconnection Agreement containing specific Authority decisions); see *Notice of Filing* (Jul. 13, 2001); *Notice of Filing* (Jan. 11, 2002); *Report and Recommendation*, 5 (Mar. 15, 2002).